

REMARKS

This amendment responds to the Official Action mailed on July 1, 2005. Claims 1-20 are pending. Entry of this Response and reconsideration of the rejection of claims 1-20 are respectfully requested.

35 U.S.C. Section 103(a) Rejection

Claims 1-20 stand rejected under 35 U.S.C. Section 103(a) as being unpatentable over the web pages “iCarumba” in view of newly-cited Ward’s Dealer Business (“Ward”).

The Patent Office relies upon iCarumba as the principal reference in support of the rejection of claims 1-20; however, the Patent Office acknowledges that iCarumba does not disclose prompting a customer for a loaner car, pre-approving the loaner car request, and using a lock box for retrieving and receiving vehicle keys.

The Patent Office's position is that the steps of prompting for and pre-approving a loaner car request would have been obvious given that loaner car services are made available at many service centers. No citation for this assertion is provided, however, for purposes of this submission, Applicant does not traverse that portion of the rejection.

With respect to the use of a lock box for retrieving and receiving vehicle keys, the Patent Office cites to Ward for its disclosure of a system that facilitates the drop off and retrieval of vehicle keys for a car being serviced. As summarized by the Patent Office:

The system [of Ward] works by accepting and dispensing keys through the use of an ATM style machine located in a wall of the dealership building. The system allows for accepting and delivering of keys at any time so that a customer can drop off and pick up keys from the machine outside of the hours the dealership is open. Specifically disclosed is that the customer when picking up a vehicle is given a code that is to be entered into the machine and the keys for the customer's vehicle are then dispensed.

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According to the Patent Office, it would have been obvious to modify iCarumba so that a customer indicating the need for a loaner car would be given a code that is used to access the loaner car keys from the key system at the service center. Applicant quite respectfully disagrees.

The claimed methodology differs from the proposed combination in material respects which warrant reconsideration of the outstanding rejection.

First, Ward describes a system in which a code is provided to customers for retrieval of keys *after* repair has been made. In contrast, the claimed methodology concerns the provision of a different car (a loaner) *before* the vehicle in question has been serviced.

Related to this first point is that Ward has no teaching or suggestion at all as to using the Express 24 system to dispense the keys to any vehicle other than the one which had been previously dropped off. Critically, Applicant submits, the owner drops off keys without having been provided with *any* code at all. Presumably, the Express 24 system has a slot into which keys can be safely deposited. For after-hours retrieval, Ward teaches only that an estimate be established after the car has been dropped off, be communicated to the owner, and (at that time or thereafter) that a code suitable for unlocking a box containing the owner's keys be provided.

Consequently, the proposed combination does not include a teaching or suggestion that, *by the time of drop-off*, the owner have been provided with a code suitable for retrieving a loaner car. As acknowledged, there is no teaching in iCarumba of the use of a lock box as claimed. In addition, there is no teaching in Ward of obtaining a code prior to having actually dropped off a car for an estimate so as to enable a car owner to obtain keys to a different vehicle (e.g., a loaner car).

Second, claim 1 and 9 recite four acts taken in response to the customer's request for a loaner car, among which is "providing to the customer the code to the a lock box at the service center" which occurs "during the session with the host server." iCarumba has not teachings of codes or lock boxes whatsoever. Ward describes the use of codes and lock boxes at a time after a car has been dropped off and not "*during the session with the host server.*" Further, Ward's very limited disclosure does not teach or suggest that the person dropping off a vehicle is enabled to open

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a lock box with a code to gain access to a different vehicle. Quite the contrary, Ward teaches that a code is not released until after interaction with a service technician, long after drop off has occurred.

The methodology of claims 1 and 9 permit the customer to schedule an appointment at a particular service center, arrange for and secure access to a loaner car located at that same service center so that his or her vehicle can be dropped off outside of normally-attended business hours and be able to retrieve keys to a loaner car in a secure manner using a code, ***all a result of a single computer session***, and without interaction with a human attendant. The combined teachings of iCarumba and Ward do not teach or suggest such a system.

Accordingly, the combination of iCarumba and Ward does not meet all of the limitations of claims 1 and 9.

In view of the foregoing remarks, reconsideration and withdrawal of the grounds for rejecting independent claims 1 and 9, and allowance of all claims are respectfully requested.

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Respectfully submitted,

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